



EBCSP-1080.2 US

#3

COMBINED DECLARATION AND POWER OF ATTORNEY
IN ORIGINAL APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; that

I verily believe that I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the invention entitled: **Increased Volume Electrochemical Cell** described and claimed in US Application No. 09/804012, filed **March 12, 2001**, that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above, that I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, that I acknowledge the duty to disclose information which is material to the examination of the application in accordance with 37 CFR 1.56(a), and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows: _____.

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Robert W. Welsh - Reg. No. 31,687; Michael C. Pophal - Reg. No. 37,700;
S. Allan Fraser - Reg. No. 33882; and Linda Gebauer - Reg. No. 38,718
Russell H. Toye, Jr. - Reg. No. 43,200

Address all telephone calls to Russell H. Toye, Jr. at Telephone No. (440) 835-7343

Address all correspondence to Russell H. Toye, Jr., Eveready Battery Company, Inc., P. O. Box 450777, 25225 Detroit Road, Westlake, OH 44145.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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|--|--------------------------|------|
| FULL NAME OF SOLE OR FIRST INVENTOR William R. Bennett | INVENTOR'S SIGNATURE | DATE |
| RESIDENCE 26800 Sudbury Drive | CITIZENSHIP US | |
| POST OFFICE ADDRESS North Olmsted, Ohio 44070 | | |

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| FULL NAME OF SECOND JOINT INVENTOR Robert E. Ray, Jr. | INVENTOR'S SIGNATURE <i>Robert E. Ray</i> | DATE 4/23/2001 |
| RESIDENCE 9816 Lakeview Circle | CITIZENSHIP US | |
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| FULL NAME OF THIRD JOINT INVENTOR Diana Dreher | INVENTOR'S SIGNATURE | DATE |
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| POST OFFICE ADDRESS | | |

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| FULL NAME OF FIFTH JOINT INVENTOR | INVENTOR'S SIGNATURE | DATE |
| RESIDENCE | CITIZENSHIP | |
| POST OFFICE ADDRESS | | |

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| FULL NAME OF SOLE OR FIRST INVENTOR William R. Bennett | INVENTOR'S SIGNATURE <i>William R. Bennett</i> | DATE 4-25-01 |
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